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Charles Atchison

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AT&T Legal Department - TKHR

Attn: Patent Docketing

One AT&T Way

Room 2A-207

Bedminster, NJ 07921

EXAMINER

CARDENAS NAVIA, JAIME F

ART UNIT

PAPER NUMBER

3624

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/687,332	<b>Applicant(s)</b> ATCHISON, CHARLES	
	<b>Examiner</b> Jaime Cardenas-Navia	<b>Art Unit</b> 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :03/23/2009, 05/29/2009, and 08/26/2009.

## **DETAILED ACTION**

### ***Introduction***

1. This **FINAL** office action is in response to communications received on June 16, 2009. Claims 1, 17, 25, 26, 28, 30, 38, 39, and 41 have been amended. No new claims have been added. Claims 1, 2, and 4-42 are currently pending.

### ***Information Disclosure Statement***

2. The information disclosure statements (IDSs) submitted on 03/23/2009, 05/29/2009, and 08/26/2009 have been considered by the Examiner.

### ***Response to Amendment***

3. Applicant's amendments to the claims are **sufficient to overcome the 35 U.S.C. § 112, second paragraph, rejections** as set forth in the previous office action.

### ***Response to Arguments***

4. Applicant's arguments have been fully considered by the Examiner. In particular, Applicant argues that:

(A) neither Flam nor Lofton teach or suggest a centralized server operable to transmit a graphical user interface over a network to a client device;

(B) neither Flam nor Lofton teach or suggest "enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications,

Art Unit: 3624

and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator;

(C) neither Flam nor Lofton teach or suggest wherein one or more users familiar with the project are enabled to update and view a current status of the project issue using the graphical user interface; and

(D) all dependent claims are allowable as a result of arguments (A)-(C).

**Regarding argument (A),** Examiner respectfully disagrees. Fig. 8 of Flam shows an embodiment of the invention in which a centralized server (803, computer) is operable to transmit a graphical user interface (fig. 9-17) over a network (807, internet) to a client device (808, local peripheral devices). This is further elaborated on in col. 4, lines 25-47.

**Regarding argument (B),** Examiner respectfully disagrees. In fig. 17, 1727 corresponds to the current step, and 1729 corresponds to the next step to be taken. This is detailed in col. 33, lines 20-40. In col. 9, PR table 833, each PR record, which corresponds to an issue, contains a required (estimated) time and a required (estimated) cost. It also contains an indication of the originator of the record and who the record is assigned to.

**Regarding argument (C),** Examiner respectfully disagrees. Though Flam is primarily concerned with and teaches a system for creating administrative queries (col. 7, lines 39-52), which automatically monitor processes and perform activities based on detected conditions, Flam also teaches wherein one or more users familiar with the project are enabled to update and view a current status of the project issue using the graphical user interface (col. 6, lines 9-49, different

Art Unit: 3624

users have different levels of access to data (e.g. status of project issues) through the user interface, col. 5, lines 35-43, customer complaint specialist investigates the complaint (e.g. check status), col. 7, lines 34-37, returns all the records, col. 9, PR Table 833, status).

**Regarding argument (D),** Examiner relies on the arguments above.

### ***Official Notice***

5. Applicant's traversal of Official Notice is untimely, and so will not be considered. The officially noticed facts are deemed admitted prior art.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1, 2, and 4-42 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Flam (US 7,266,764) in view of Lofton (US 2003/0154116 A1).

**Regarding claim 1,** Flam teaches:

An issue tracking system (col. 4, lines 19-21), comprising:

a centralized server (col. 4, lines 29-31, standard computer is acting as a server) operable to transmit a graphical user interface (col. 6, lines 24-26) for tracking project issues of a group project (col. 4, lines 19-21) over a network (col. 4, lines 29-30, Internet is a network) to a client device, the graphical user interface being displayable on the client device without installation of

Art Unit: 3624

the graphical user interface on the client device (fig. 8, 9-17, col. 4, lines 25-47) and enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities (col. 9, PR table 833, each PR record, which corresponds to an issue, contains an indication of the originator of the record and who the record is assigned to), wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project (fig. 17, 1727 corresponds to the current step, and 1729 corresponds to the next step to be taken. This is detailed in col. 33, lines 20-40) and the classifications comprise costs or values of a specific issue according to group management or administrator (col. 9, PR table 833, each PR record, which corresponds to an issue, contains a required (estimated) time and a required (estimated) cost);

a database coupled to the centralized server (col. 4, lines 29-31) operable to provide the graphical user interface to the centralized server (col. 6, lines 24-26), the database being further operable to track at least one project issue related to the group project (col. 5, lines 35-36, the complaint is a project issue, col. 9, PRs are project issues, col. 10, Projects are projects, col. 11, Divisions are topics), to provide access through the centralized server to a plurality of users responsible for resolving said at least one project issue (col. 5, lines 36-43, customer complaint specialist and customer complaint specialist's supervisor are plurality of users responsible for resolving the project issue), the topic being a subject, available for selection by a user using the graphical user interface, under which the at least one project issue is related, the project issue being tracked using the issue tracking system, wherein one or more users familiar with the project issue are enabled to update and view a current status of the project issue using the graphical user interface (col. 6, lines 9-49, different users have different levels of access to data

Art Unit: 3624

(e.g. status of project issues) through the user interface, col. 5, lines 35-43, customer complaint specialist investigates the complaint (e.g. check status), col. 7, lines 34-37, returns all the records, col. 9, PR Table 833, status);

wherein the centralized server is further operable to transmit a notification to a responsible user for each occurrence of the following: a new project issue has been created, a step toward resolution has been entered for at least one project issue, or said at least one project issue has been closed (fig. 12, 14, Assigned To Notification, Start Date, Closed On, col. 5, lines 43-45).

Flam does not teach to provide a storage option for a user to upload data formats.

Lofton teaches to provide a storage option for a user to upload data formats which the user determines would be inefficient to manually enter using a format associated with the graphical user interface (par. 112, lines 1-15, link data are attachments, which are uploaded and in a different data format than the format associated with the graphical user interface).

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

**Regarding claim 2**, official notice is given that wherein the server is operable to communicate using a hypertext markup language with the client device was a matter of common



Art Unit: 3624

knowledge to one skilled in the art at the time of applicant's invention. HTML and its application to servers has been in the public domain since the early 90's.

It would have been obvious to combine the use of HTML with Flam's invention motivated by the fact that Flam's invention teaches using the Internet as the network and that the internet is primarily composed of HTML documents.

**Regarding claim 4**, Flam teaches wherein the centralized server is further operable to notify a responsible user via electronic mail (col. 5, lines 43-45).

**Regarding claim 5**, Flam teaches wherein the database has a table devoted to keeping track of at least one topic corresponding to said at least one project issue being tracked (col. 9, PRs are project issues, col. 10, Projects are projects, col. 11, Divisions are topics).

**Regarding claim 6**, Flam teaches wherein the database has a table devoted to keeping track of said at least one project issue associated with said at least one topic (col. 5, lines 18-25, col. 9, PR Table 833 is a table devoted to keeping track of an issue (record is an issue) associated with a topic (note the project\_id)).

**Regarding claim 7**, Flam teaches wherein each of said at least one project issue comprises a description of the respective issue (col. 9, PR Table 833, all attributes are the description, particularly the name data field), a status associated with the respective issue (col. 9, PR Table 833, lines 50-52), and a sponsor associated with the respective issue (col. 9, PR Table 833, lines 56-58).

**Regarding claim 8**, Flam teaches wherein each of said at least one project issue comprises a priority rating associated with the respective issue (col. 9, PR Table 833, col. 10, lines 13-15).

Art Unit: 3624

**Regarding claim 9**, Flam teaches wherein the database has a table devoted to keeping track of at least one step associated with said at least one project issue (col. 5, lines 18-25, col. 12, PR\_activity Table 839, activities are steps).

**Regarding claim 10**, Flam teaches wherein each of said at least one step associated with said at least one project issue comprises a description of a step related to the resolution of the respective issue (col. 12, PR\_activity Table 839, col. 12, lines 49-50).

**Regarding claim 11**, Flam teaches wherein the database also maintains a list of persons responsible for a respective topic (col. 9, lines 56-60, col. 35, Project\_member Table).

**Regarding claim 12**, Flam teaches a network operable to transmit information stored in the database to a plurality of users (col. 4, lines 29-31).

**Regarding claim 13**, Flam teaches a personal computer coupled to the network and having a browser operable to view the information received from the database via the network (col. 4, lines 29-31).

**Regarding claim 14**, Flam teaches wherein the database is further operable to store project issues that have been closed by a responsible user using the graphical user interface, and transmit information about a closed project issue upon receiving a request for the information (col. 9, PR Table 833, lines 52-53, 63-64, col. 7, lines 34-37).

**Regarding claim 15**, Flam does not teach wherein the storage option is used for uploading a legacy spreadsheet file.

Lofton teaches wherein the storage option is used for uploading a file (par. 112, lines 1-15).

Art Unit: 3624

Examiner respectfully notes that "for uploading a legacy spreadsheet file" is considered intended use language, and will not patentably distinguish the claimed invention from the prior art.

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

**Regarding claim 16**, Flam does not teach wherein the storage option is used for uploading a legacy database file.

Lofton teaches wherein the storage option is used for uploading a file (par. 112, lines 1-15).

Examiner respectfully notes that "for uploading a legacy database file" is considered intended use language, and will not patentably distinguish the claimed invention from the prior art.

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to

Art Unit: 3624

combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

**Regarding claim 17**, Flam teaches:

A method of tracking project issues (col. 4, lines 19-21), comprising the steps of:

storing a group project in a standardized format on a centralized database (col. 4, lines 25-29, col. 10, Project Table 831);

transmitting a graphical user interface for tracking project issues over a network (col. 4, lines 19-21, 29-31, col. 6, lines 24-26) to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device (fig. 8, 9-17, col. 4, lines 25-47), the graphical user interface enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities (col. 9, PR table 833, each PR record, which corresponds to an issue, contains an indication of the originator of the record and who the record is assigned to), wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project (fig. 17, 1727 corresponds to the current step, and 1729 corresponds to the next step to be taken. This is detailed in col. 33, lines 20-40) and the classifications comprise costs or values of a specific issue according to group management or administrator (col. 9, PR table 833, each PR record, which corresponds to an issue, contains a required (estimated) time and a required (estimated) cost);

adding an issue associated with the group project to the centralized database (col. 7, lines 24-26, records are issues, col. 9, PR Table 833) using the graphical user interface, wherein one or more users familiar with the group project are enabled to update and view a current status of the

Art Unit: 3624

issue using the graphical user interface (col. 6, lines 9-49, different users have different levels of access to data (e.g. status of project issues) through the user interface, col. 5, lines 35-43, customer complaint specialist investigates the complaint (e.g. check status), col. 7, lines 34-37, returns all the records, col. 9, PR Table 833, status);

enabling users to add at least one step taken to resolve the issue to the centralized database (col. 5, lines 18-25, col. 12, PR\_activity Table 839, activities are steps); and

transmitting a notification to a responsible user associated with the group project for each occurrence of the following: a new issue has been created for the group project, a step toward resolution has been entered for the issue, or the issue has been closed (fig. 12, 14, Assigned To Notification, Start Date, Closed On, col. 5, lines 43-45).

Flam does not teach to providing an option to a user to upload a data file using the graphical user interface.

Lofton teaches providing an option to a user to upload a data file using the graphical user interface (par. 112, lines 1-15, link data are attachments, which are uploaded and in a different data format than the format associated with the graphical user interface).

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

Art Unit: 3624

**Regarding claim 18**, Flam teaches closing the issue upon resolution (col. 9, lines 53-54).

**Regarding claim 19**, Flam teaches wherein the issue is closed by a system administrator associated with the database using the graphical user interface (col. 6, lines 16-23).

**Regarding claim 20**, Flam teaches adding an issue description to the centralized database using the graphical user interface (col. 9, PR Table 833, all attributes are the description, particularly the name data field).

**Regarding claim 21**, Flam teaches wherein the issue description includes a status (col. 9, PR Table 833, lines 50-52), a priority rating (col. 9, PR Table 833, col. 10, lines 13-15), and a sponsor (col. 9, PR Table 833, lines 56-58).

**Regarding claim 22**, Flam teaches adding a step description to the centralized database using the graphical user interface (col. 5, lines 18-25, col. 12, PR\_activity Table 839, activities are steps, col. 12, PR\_activity Table 839, col. 12, lines 49-50).

**Regarding claim 23**, Flam teaches:

receiving a request from a user for the issue and said at least one step; and

providing the issue and said at least one step to the user (col. 7, lines 34-37, PR\_activity Table 839 works the same way, by querying the pr\_id).

**Regarding claim 24**, Flam teaches wherein the issue and said at least one step are provided using hypertext transfer protocol via the network (col. 4, lines 34-40).

**Regarding claim 25**, Flam teaches:

receiving a request from the user for all issues associated with the group project; and

providing said all issues associated with the group project to the user via the graphical user interface (col. 7, lines 34-37).

Art Unit: 3624

**Regarding claim 26**, Flam teaches wherein all said issues associated with said group project are provided in a user sortable format (col. 7, lines 34-37) based on an issue number associated with each issue (col. 9, PR Table 833, lines 41-43), a status associated with each issue (col. 9, PR Table 833, lines 50-52), a priority rating associated with each issue (col. 9, PR Table 833, col. 10, lines 13-15), a classification associated with each issue (col. 9, PR Table 833, col. 10, lines 6-9, category type is a classification, lines 15-17, severity type is a classification), and a sponsor associated with each issue (col. 9, PR Table 833, lines 56-58).

**Regarding claim 27**, Flam teaches:

receiving a request from a user to add a step to the issue (col. 12, PR\_activity Table 839, lines 52-53, col. 6, lines 26-33);

adding the step to the centralized database (col. 5, lines 18-25, col. 12, PR\_activity Table 839, activities are steps); and

linking the step to the issue in the centralized database (col. 12, PR\_activity Table 839, note the pr\_id).

**Regarding claim 28**, Flam teaches storing a list comprising a plurality of responsible users for the group project (col. 9, lines 56-60, col. 35, Project\_member Table).

**Regarding claim 29**, Flam teaches notifying the plurality of responsible users when the issue has been updated or closed (col. 9, PR Table 833, date\_updated, lines 52-53, 60-65, col. 7, lines 34-37, col. 5, lines 35-56 provides an example in which an email notifies a supervisor when the issue is updated).

**Regarding claims 30-42**, they are rejected using the same art and rationale used above for rejecting claims 17-29. This is because claims 30-42 claim a computer readable memory performing the method of claims 17-29.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaime Cardenas-Navia whose telephone number is (571)270-1525. The examiner can normally be reached on Mon-Fri, 10:30AM - 7:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 11, 2009

/J. C./

Examiner, Art Unit 3624

/Bradley B Bayat/

Supervisory Patent Examiner, Art Unit 3624